

## REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following arguments is respectfully requested.

Claim 21 has been amended. No new matter has been added as a result of this amendment.

Claim 21 is rejected under 35 U.S.C. Section 112, first paragraph. Specifically, the Examiner states that “[B]ecause claim 21 recites the limitation ‘and substitutions, thereof’ in reference to a sequence, the sequence limitations of this claim has no meaning since it allows one to replace (‘substitute’) the referenced sequence with an entirely different sequence. Therefore, this claim encompasses any composition that is encompassed by the term ‘an isolated and purified polypeptide’. The instant specification clearly fails to provide a written description of all isolated polypeptides.” Applicants respectfully traverse this rejection.

Claim 21 has been amended to remove the references to “substitutions thereof”. Therefore, in view of this amendment, Applicants submit that this rejection is now moot and should be withdrawn.

Claims 21 is rejected as being anticipated under 35 U.S.C. Section 102(a) in view of Ema et al., *Biochem. Biophys. Res. Comm.*, 184(1):246-253 (April 15, 1992) and under 35 U.S.C. Section 102(b) in view of Bradfield et al., *Molecular Pharmacology*, 39(11):13-19 (1991). Applicants respectfully traverse this rejection.


Ema et al. disclose the mouse Ah receptor that is 805 amino acids in length. Bradfield et al. disclose the N-terminal amino acid sequence of a mouse Ah receptor. This N-terminal amino acid sequence is 26 amino acids in length. Claim 21 is directed to an amino acid sequence of SEQ ID NO:37. The amino acid sequence of SEQ ID NO:37 is 72 amino acids in length. Therefore, because Ema et al. and Bradfield et al. do not

disclose each and every element of the claimed invention, this rejection should be withdrawn.

Applicants submit that claim 21 is now in condition for allowance.

If any additional fees are incurred as the result of the filing of this paper, authorization is given to charge deposit account number 23-0785.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this Amendment is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on a June 6, 2003.

